

Senate Chamber, Atlanta, Georgia  
Tuesday, January 31, 2006  
Tenth Legislative Day

The Senate met pursuant to adjournment at 1:00 p.m. today and was called to order by the President.

Senator Thomas of the 54th reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following messages were received from the House through Mr. Rivers, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitutional majority the following Bills of the House:

HB 895. By Representatives Yates of the 73rd, Lunsford of the 110th, Knight of the 126th and Powell of the 29th:

A BILL to be entitled an Act to amend Title 47 of the Official Code of Georgia Annotated, relating to retirement and pensions, so as to provide that a superior court judge or district attorney who is an active member of the Georgia Judicial Retirement System may obtain creditable service for certain prior service as a circuit-paid assistant district attorney; to provide for application and payment of the full actuarial value of such service; to provide conditions and limitations; to provide for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 999. By Representatives Maddox of the 172nd, Burkhalter of the 50th, Keen of the 179th, McCall of the 30th, Ray of the 136th and others:

A BILL to be entitled an Act to amend Chapter 50 of Title 43 of the O.C.G.A., relating to veterinarians and veterinary technicians, so as to change certain provisions relating to definitions relative to such chapter; to change certain provisions relating to exemptions from licensing and registration requirements; to change certain provisions relating to veterinary technicians; to provide for legislative purpose; to authorize the practice of

veterinary technology by veterinary technicians under certain circumstances; to change certain provisions relating to application for registration as veterinary technician, qualifications, examination, renewal, applicants registered in other states, and responsibility of the State Board of Veterinary Medicine; to change certain provisions relating to scheduling and administration of examinations, reexamination, and reactivation; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 1077. By Representative Jenkins of the 8th:

A BILL to be entitled an Act to provide that future elections for the office of probate judge of Rabun County shall be nonpartisan elections; to provide for submission of this Act under the federal Voting Rights Act of 1965, as amended; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 1078. By Representative Greene of the 149th:

A BILL to be entitled an Act to create the Randolph County Water and Sewer Authority and provide for its activation; to provide for a short title; to provide for definitions; to provide for the purposes, powers, duties, and functions of the authority and authorize certain contracts and agreements; to provide for the membership and appointment of members of the authority and their terms of office, qualifications, duties, powers, methods of filling vacancies, compensation, and expenses; to provide for organization, meetings, and quorum of the authority; to provide for an attorney of the authority; to provide for an audit and budgets; to authorize the authority to contract with others regarding its functions, to contract with others pertaining to the use of the utilities and facilities of the authority, and to execute leases and do all things necessary or convenient for the operation of such undertakings or projects; to repeal conflicting laws; and for other purposes.

HB 1079. By Representative Greene of the 149th:

A BILL to be entitled an Act to provide a board of elections for Randolph County; to define its powers and duties concerning primaries and elections; to define certain terms; to provide a method for appointment, resignation, and removal of its members; to provide for the qualifications and terms of its members; to provide for a chairperson, clerical assistants, and other employees; to provide for compensation of such persons and the members of the board; to provide for facilities; to relieve the judge of the probate court from certain responsibilities; to provide for submission under the

federal Voting Rights Act of 1965, as amended; to repeal conflicting laws; and for other purposes.

HB 1087. By Representatives Mosley of the 178th, Lane of the 167th and Smith of the 168th:

A BILL to be entitled an Act to increase the number of directors on the board of the Wayne County Industrial Development Authority established by Ga. L. 1964, p. 1002 (Res. Act No. 167; S.R. 147) and carried forward as part of the Constitution of the State of Georgia by Ga. L. 1987, p. 3805 (Act No. 141; HB 940), from seven to nine, pursuant to the power granted to the General Assembly by paragraph N. in Ga. L. 1964, p. 1002 (Res. Act No. 167; S.R. 147); to repeal conflicting laws; and for other purposes.

The House has adopted by the requisite constitutional majority the following Resolution of the Senate:

SR 649. By Senators Johnson of the 1st, Williams of the 19th and Brown of the 26th:

A RESOLUTION congratulating the Court of Appeals of Georgia on the occasion of its 100th anniversary; and for other purposes.

Mr. President:

The House has adopted by the requisite constitutional majority the following Resolution of the House:

HR 1171. By Representatives Richardson of the 19th, Keen of the 179th, Burkhalter of the 50th, Roberts of the 154th and Smith of the 129th:

A RESOLUTION commending Lonice C. Barrett; and for other purposes.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 370. By Senators Goggans of the 7th, Kemp of the 46th, Bulloch of the 11th, Tolleson of the 20th, Unterman of the 45th and others:

A BILL to be entitled an Act to amend Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to prestige license plates and special plates for certain persons and vehicles, so as to provide for a special license plate promoting agriculture in Georgia; to provide for issuance,

renewal, fees, licensing agreements, applications, donation of revenue, and transfers relative to such special license plates; to provide for related matters; to provide for a contingent effective date; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

Referred to the Public Safety and Homeland Security Committee.

SB 464. By Senators Smith of the 52nd and Harp of the 29th:

A BILL to be entitled an Act to amend Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to water resources, so as to provide for protection of river basins; to provide a short title; to provide legislative findings; to define certain terms; to regulate interbasin transfers of water; to provide for an in-stream flow policy; to provide for exemptions; to prohibit certain interbasin transfers; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Natural Resources and the Environment Committee.

SB 465. By Senators Adelman of the 42nd, Smith of the 52nd and Meyer von Bremen of the 12th:

A BILL to be entitled an Act to amend the O.C.G.A., so as to correct typographical, stylistic, capitalization, punctuation, and other errors and omissions in the O.C.G.A. and in Acts of the General Assembly amending the O.C.G.A.; to reenact the statutory portion of the O.C.G.A., as amended; to provide for necessary or appropriate revisions and modernizations of matters contained in the O.C.G.A.; to repeal portions of the Code and Acts related thereto which have become obsolete; to delete portions of the Code and Acts related thereto which have been superseded by subsequent state laws; to provide for and to correct citations in the O.C.G.A. and other codes and laws of the state; to rearrange, renumber, and redesignate provisions of the O.C.G.A.; to provide for other matters relating to the O.C.G.A.; to provide effective dates; to repeal conflicting laws; and for other purposes.

Referred to the Special Judiciary Committee.

SB 466. By Senators Adelman of the 42nd, Smith of the 52nd and Meyer von Bremen of the 12th:

A BILL to be entitled an Act to amend Title 47 of the Official Code of Georgia Annotated, relating to retirement and pensions, so as to correct typographical, stylistic, and other errors and omissions in Title 47 of the Official Code of

Georgia Annotated and in Acts of the General Assembly amending Title 47 of the Official Code of Georgia Annotated; to correct capitalization and spelling in Title 47 of the Official Code of Georgia Annotated; to provide for other matters relative to Title 47 of the Official Code of Georgia Annotated; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Special Judiciary Committee.

SB 467. By Senators Adelman of the 42nd, Smith of the 52nd and Meyer von Bremen of the 12th:

A BILL to be entitled an Act to amend Title 21 of the Official Code of Georgia Annotated, relating to elections, so as to correct typographical, stylistic, and other errors and omissions in Title 21 of the Official Code of Georgia Annotated and in Acts of the General Assembly amending Title 21 of the Official Code of Georgia Annotated; to correct capitalization and spelling in Title 21 of the Official Code of Georgia Annotated; to provide for necessary or appropriate revisions and modernizations of matters contained in Title 21 of the Official Code of Georgia Annotated; to provide for other matters relating to Title 21 of the Official Code of Georgia Annotated; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Special Judiciary Committee.

SB 468. By Senators Moody of the 56th, Carter of the 13th, Douglas of the 17th, Grant of the 25th, Bulloch of the 11th and others:

A BILL to be entitled an Act to amend Subpart 2 of Part 6 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to conditions of employment under the "Quality Basic Education Act," so as to provide for the establishment of a grant program for High Performance Principals to attract successful principals to schools in need of improvement; to provide for legislative findings; to provide for a definition; to provide for rules and regulations; to provide for one-year salary supplements; to provide for reports; to provide for construction; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Education and Youth Committee.

- SB 469. By Senators Smith of the 52nd, Meyer von Bremen of the 12th, Harp of the 29th and Reed of the 35th:

A BILL to be entitled an Act to amend Title 14 of the Official Code of Georgia Annotated, relating to corporations, partnerships, and associations, so as to provide for the updating of provisions relating to corporations, partnerships, and associations; to provide confirmation when an order for relief with respect to a corporation has been entered pursuant to the federal Bankruptcy Code of the power and authority of such corporation to take action pursuant to the decree of order or the court or judge in such bankruptcy proceedings; to provide that a board of directors can commit a corporation to submit a matter for shareholder approval even if the board of directors subsequently determines to recommend against it later; to correct cross-references; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Special Judiciary Committee.

- SB 470. By Senators Wiles of the 37th, Stoner of the 6th, Hill of the 32nd and Rogers of the 21st:

A BILL to be entitled an Act to amend an Act creating the State Court of Cobb County, approved March 26, 1964 (Ga. L. 1964, p. 3211), as amended, particularly by an Act approved May 6, 2005 (Ga. L. 2005, p. 3872), so as to change the compensation of the solicitor-general; to change the provisions relating to the compensation of assistant solicitors; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the State and Local Governmental Operations Committee.

- SR 737. By Senators Balfour of the 9th, Douglas of the 17th, Schaefer of the 50th and Smith of the 52nd:

A RESOLUTION honoring President Ronald Wilson Reagan on the 95th anniversary of his birth and declaring February 6, 2006, as "Ronald Reagan Day"; and for other purposes.

Referred to the Rules Committee.

The following House legislation was read the first time and referred to committee:

HB 895. By Representatives Yates of the 73rd, Lunsford of the 110th, Knight of the 126th and Powell of the 29th:

A BILL to be entitled an Act to amend Title 47 of the Official Code of Georgia Annotated, relating to retirement and pensions, so as to provide that a superior court judge or district attorney who is an active member of the Georgia Judicial Retirement System may obtain creditable service for certain prior service as a circuit-paid assistant district attorney; to provide for application and payment of the full actuarial value of such service; to provide conditions and limitations; to provide for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Retirement Committee.

HB 999. By Representatives Maddox of the 172nd, Burkhalter of the 50th, Keen of the 179th, McCall of the 30th, Ray of the 136th and others:

A BILL to be entitled an Act to amend Chapter 50 of Title 43 of the O.C.G.A., relating to veterinarians and veterinary technicians, so as to change certain provisions relating to definitions relative to such chapter; to change certain provisions relating to exemptions from licensing and registration requirements; to change certain provisions relating to veterinary technicians; to provide for legislative purpose; to authorize the practice of veterinary technology by veterinary technicians under certain circumstances; to change certain provisions relating to application for registration as veterinary technician, qualifications, examination, renewal, applicants registered in other states, and responsibility of the State Board of Veterinary Medicine; to change certain provisions relating to scheduling and administration of examinations, reexamination, and reactivation; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Agriculture and Consumer Affairs Committee.

HB 1077. By Representative Jenkins of the 8th:

A BILL to be entitled an Act to provide that future elections for the office of probate judge of Rabun County shall be nonpartisan elections; to provide for submission of this Act under the federal Voting Rights Act of 1965, as amended; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the State and Local Governmental Operations Committee.

HB 1078. By Representative Greene of the 149th:

A BILL to be entitled an Act to create the Randolph County Water and Sewer Authority and provide for its activation; to provide for a short title; to provide for definitions; to provide for the purposes, powers, duties, and functions of the authority and authorize certain contracts and agreements; to provide for the membership and appointment of members of the authority and their terms of office, qualifications, duties, powers, methods of filling vacancies, compensation, and expenses; to provide for organization, meetings, and quorum of the authority; to provide for an attorney of the authority; to provide for an audit and budgets; to authorize the authority to contract with others regarding its functions, to contract with others pertaining to the use of the utilities and facilities of the authority, and to execute leases and do all things necessary or convenient for the operation of such undertakings or projects; to repeal conflicting laws; and for other purposes.

Referred to the State and Local Governmental Operations Committee.

HB 1079. By Representative Greene of the 149th:

A BILL to be entitled an Act to provide a board of elections for Randolph County; to define its powers and duties concerning primaries and elections; to define certain terms; to provide a method for appointment, resignation, and removal of its members; to provide for the qualifications and terms of its members; to provide for a chairperson, clerical assistants, and other employees; to provide for compensation of such persons and the members of the board; to provide for facilities; to relieve the judge of the probate court from certain responsibilities; to provide for submission under the federal Voting Rights Act of 1965, as amended; to repeal conflicting laws; and for other purposes.

Referred to the State and Local Governmental Operations Committee.

HB 1087. By Representatives Mosley of the 178th, Lane of the 167th and Smith of the 168th:

A BILL to be entitled an Act to increase the number of directors on the board of the Wayne County Industrial Development Authority established by Ga. L. 1964, p. 1002 (Res. Act No. 167; S.R. 147) and carried forward as part of the Constitution of the State of Georgia by Ga. L. 1987, p. 3805 (Act No. 141; HB 940), from seven to nine, pursuant to the power granted to the General



Assembly by paragraph N. in Ga. L. 1964, p. 1002 (Res. Act No. 167; S.R. 147); to repeal conflicting laws; and for other purposes.

Referred to the State and Local Governmental Operations Committee.

The following committee reports were read by the Secretary:

Mr. President:

The Ethics Committee has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 409      Do Pass

Respectfully submitted,  
Senator Unterman of the 45th District, Chairman

Mr. President:

The Judiciary Committee has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 398      Do Pass  
SB 408      Do Pass by substitute

Respectfully submitted,  
Senator Smith of the 52nd District, Chairman

Mr. President:

The Science and Technology Committee has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 241      Do Pass  
SB 394      Do Pass

Respectfully submitted,  
Senator Shafer of the 48th District, Chairman

Mr. President:

The State and Local Governmental Operations Committee has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 202      Do Pass

Respectfully submitted,  
Senator Wiles of the 37th District, Chairman

The following legislation was read the second time:

SB 249      SB 435      SB 440      SR 655      SR 686

Senator Thompson of the 5th asked unanimous consent that Senator Golden of the 8th be excused. The consent was granted, and Senator Golden was excused.

Senator Thompson of the 5th asked unanimous consent that Senator Stoner of the 6th be excused. The consent was granted, and Senator Stoner was excused.

Senator Thompson of the 5th asked unanimous consent that Senator Adelman of the 42nd be excused. The consent was granted, and Senator Adelman was excused.

The roll was called and the following Senators answered to their names:

Balfour	Hooks	Shafer,D
Brown	Hudgens	Smith
Bulloch	Johnson	Starr
Butler	Jones	Staton
Cagle	Kemp	Stephens
Carter	Me V Bremen	Tarver
Chance	Miles	Tate
Chapman	Moody	Thomas,D
Douglas	Mullis	Thomas,R
Goggans	Pearson	Thompson,C
Grant	Powell	Thompson,S
Hamrick	Reed	Tolleson
Harbison	Rogers	Unterman
Harp	Schaefer	Weber
Heath	Seabaugh	Whitehead
Henson	Seay	Wiles
Hill,Judson		

Not answering were Senators:

Adelman (Excused)  
Hill, Jack  
Zamarripa

Fort  
Stoner (Excused)

Golden (Excused)  
Williams

Senator Fort of the 39th was off the floor of the Senate when the roll was called and wished to be recorded as present.

The members pledged allegiance to the flag.

Senator Schaefer of the 50th introduced the chaplain of the day, Dr. Robert White of Atlanta, Georgia, who offered scripture reading and prayer.

The following resolutions were read and adopted:

SR 747. By Senators Johnson of the 1st, Williams of the 19th, Brown of the 26th, Seay of the 34th, Butler of the 55th and others:

A RESOLUTION honoring the life and achievements of Mrs. Coretta Scott King and expressing regret of her passing; and for other purposes.

Senator Johnson of the 1st spoke to SR 747, honoring the life and achievements of Mrs. Coretta Scott King.

HR 1171. By Representatives Richardson of the 19th, Keen of the 179th, Burkhalter of the 50th, Roberts of the 154th and Smith of the 129th:

A RESOLUTION commending Lonice C. Barrett; and for other purposes.

The President introduced the Honorable Governor Sonny Perdue who spoke to HR 1171, commending Lonice Barrett. Governor Perdue addressed the Senate briefly.

The Honorable Governor Sonny Perdue recognized Lonice Barrett, commended by HR 1171. Lonice Barrett addressed the Senate briefly.

Senator Powell of the 23rd introduced the doctor of the day, Dr. W. Mark Newton.

Pursuant to Senate Rule 3-1.7, Senator Miles of the 43rd asked unanimous consent that the following resolution be withdrawn from the consideration of the Senate.

SR 429. By Senators Miles of the 43rd, Butler of the 55th and Jones of the 10th:

A RESOLUTION dedicating the Earl Paulk Parkway; and for other purposes.

The consent was granted, and SR 429 was withdrawn from consideration of the Senate.

The following resolutions were read and adopted:

SR 729. By Senator Smith of the 52nd:

A RESOLUTION commending the Rome City Police Department on its national reaccreditation; and for other purposes.

SR 730. By Senator Chance of the 16th:

A RESOLUTION commending Kento Masuyama; and for other purposes.

SR 731. By Senator Chance of the 16th:

A RESOLUTION recognizing and commending Kevin Ross Jensen; and for other purposes.

SR 732. By Senator Chance of the 16th:

A RESOLUTION commending the Rising Starr Middle School Band of Fayette County, Georgia, and its director, Mr. Steven Tyndall; and for other purposes.

SR 733. By Senators Brown of the 26th and Fort of the 39th:

A RESOLUTION recognizing the contributions of black contractors to the State of Georgia and declaring February 2, 2006, as Black Contractors Day in Georgia; and for other purposes.

SR 734. By Senators Smith of the 52nd and Thomas of the 54th:

A RESOLUTION commending Coosa High School for winning the Governor's Office of School Achievement 2005 Gold Award; and for other purposes.

SR 735. By Senator Grant of the 25th:

A RESOLUTION commending the class of Youth Leadership Baldwin 2006; and for other purposes.

SR 736. By Senator Schaefer of the 50th:

A RESOLUTION remembering and honoring the life of Mr. J. Alton Wingate, Sr.; and for other purposes.

SR 738. By Senator Harp of the 29th:

A RESOLUTION commending Mr. Gerald Moody; and for other purposes.

SR 739. By Senator Harp of the 29th:

A RESOLUTION commending Ms. Kimberly Wilson; and for other purposes.

SR 740. By Senator Miles of the 43rd:

A RESOLUTION declaring Bishop Paul S. Morton and Greater St. Stephen Full Gospel Church Day; and for other purposes.

SR 741. By Senator Tolleson of the 20th:

A RESOLUTION commending the Keep Georgia Beautiful Program and its 66 local affiliates who serve 80 percent of the population of the State of Georgia; and for other purposes.

SR 744. By Senator Smith of the 52nd:

A RESOLUTION commending Mr. Bernard Neal on the occasion of his retirement; and for other purposes

SR 746. By Senators Wiles of the 37th and Whitehead, Sr. of the 24th:

A RESOLUTION recognizing the many valuable contributions of BOMA Atlanta and declaring January 31, 2006, BOMA Day at the capitol; and for other purposes.

Senator Wiles of the 37th recognized a group from BOMA in the gallery, commended by SR 746.

SENATE RULES CALENDAR  
TUESDAY, JANUARY 31, 2006  
TENTH LEGISLATIVE DAY

SB 390      Classrooms First for Georgia Act; require local schools to spend minimum operating funds on direct classrooms expenditures (ED&Y-16th)

Respectfully submitted,

/s/ Balfour of the 9th, Chairman  
Senate Rules Committee

Senator Hudgens of the 47th asked unanimous consent that Senator Kemp of the 46th be excused. The consent was granted, and Senator Kemp was excused.

The following legislation was read the third time and put upon its passage:

SB 390. By Senators Chance of the 16th, Moody of the 56th, Carter of the 13th, Unterman of the 45th, Staton of the 18th and others:

A BILL to be entitled an Act to amend Part 4 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to financing for quality basic education, so as to require local school systems to spend a minimum amount of operating funds on direct classroom expenditures; to provide a short title; to provide for definitions; to provide for incremental compliance; to provide for a one-year waiver to compliance; to provide for sanctions for noncompliance; to provide for the submission of budget and expenditure information; to provide for rules and regulations; to change certain provisions relating to expenditure controls for fiscal years 2007 and 2008; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Senator Chance of the 16th moved the previous question.

There was no objection and the previous question was ordered.

Senator Thompson of the 33rd offered the following amendment #1:

*Amend SB 390 (LC 33 1086-EC) by inserting after "2008;" on line 8 of page 1 the following:*

to amend Code Section 20-2-182, relating to program weights, so as to change certain provisions relating to maximum class sizes;

*By inserting between lines 13 and 14 of page 3 the following:*

### **SECTION 2A.**

Code Section 20-2-182 of the Official Code of Georgia Annotated, relating to program weights, is amended by striking the first four sentences of subsection (i) and inserting in lieu thereof the following:

"(i) The State Board of Education shall adopt for each instructional program authorized pursuant to Part 3 of this article and the middle school program provided for in Code Section 20-2-290 the maximum number of students which may be taught by a teacher in an instructional period. The State Board of Education shall provide for a ~~system average~~ maximum class size that shall not exceed the funding class size by more than 20 percent for mathematics, science, social studies, or language arts classes, unless specifically authorized by the State Board of Education. The ~~system average~~ maximum class size for kindergarten and grades one through three shall not exceed 20 percent over the funding ratio except for art, music, or physical education classes; provided, further, that the ~~system average~~ maximum class size for special education, gifted, and English for speakers of other languages classes shall be set by the State Board of Education. For each instructional program, the maximum number of students who may be taught by a teacher in an instructional period shall not exceed the ~~system average~~ maximum class size for the program by more than two students; provided, however, that a ~~system average~~ maximum class size which results in a fractional full-time equivalent shall be rounded up to the nearest whole number."

On the adoption of the amendment, the President ordered a roll call, and the vote was as follows:

E Adelman	N Hill,Jack	N Smith
N Balfour	N Hill,Judson	Starr
Y Brown	Y Hooks	N Staton
N Bulloch	N Hudgens	N Stephens
Y Butler	N Johnson	E Stoner
N Cagle	Y Jones	Y Tarver
N Carter	E Kemp	Y Tate
N Chance	Y Me V Bremen	N Thomas,D
N Chapman	Y Miles	Y Thomas,R
N Douglas	N Moody	Thompson,C
Y Fort	N Mullis	Y Thompson,S
N Goggans	N Pearson	Tolleson
E Golden	Y Powell	N Unterman
N Grant	Y Reed	N Weber
N Hamrick	N Rogers	N Whitehead
Y Harbison	N Schaefer	N Wiles

N Harp  
N Heath  
Y Henson

N Seabaugh  
Y Seay  
N Shafer,D

N Williams  
Y Zamarripa

On the adoption of the amendment, the yeas were 17, nays 32, and the Thompson of the 33rd amendment #1 was lost.

Senator Hudgens of the 47th asked unanimous consent that Senator Starr of the 44th be excused. The consent was granted, and Senator Starr was excused.

Senator Jones of the 10th asked unanimous consent that Senator Thompson of the 5th be excused. The consent was granted, and Senator Thompson was excused.

Senator Thompson of the 33rd offered the following amendment #2:

*Amend SB 390 (LC 33 1086-EC) by striking from lines 7 and 8 of page 1 the following:  
to change certain provisions relating to expenditure controls for fiscal years 2007 and 2008;*

*By inserting a quotation mark at the end of line 5 of page 3.*

*By striking lines 6 through 13 of page 3.*

On the adoption of the amendment, the President ordered a roll call, and the vote was as follows:

E Adelman  
N Balfour  
Y Brown  
N Bulloch  
Y Butler  
N Cagle  
N Carter  
N Chance  
N Chapman  
N Douglas  
Y Fort  
N Goggans  
E Golden  
N Grant  
N Hamrick  
Y Harbison

N Hill,Jack  
N Hill,Judson  
Y Hooks  
N Hudgens  
N Johnson  
Y Jones  
E Kemp  
Y Me V Bremen  
Y Miles  
N Moody  
N Mullis  
N Pearson  
Y Powell  
Y Reed  
N Rogers  
N Schaefer

N Smith  
E Starr  
N Staton  
N Stephens  
E Stoner  
Y Tarver  
Y Tate  
N Thomas,D  
Y Thomas,R  
E Thompson,C  
Y Thompson,S  
N Tolleson  
N Unterman  
N Weber  
N Whitehead  
N Wiles



N Harp  
N Heath  
Y Henson

N Seabaugh  
Y Seay  
N Shafer,D

N Williams  
Y Zamarripa

On the adoption of the amendment, the yeas were 17, nays 33, and the Thompson of the 33rd amendment #2 was lost.

Senator Henson of the 41st offered the following amendment #3:

*Amend SB 390 (LC 33 1086-EC) by inserting after "paraprofessionals;" on line 22 of page 1 the following:*

salaries and benefits for media specialists and counselors;

On the adoption of the amendment, the President ordered a roll call, and the vote was as follows:

E Adelman  
N Balfour  
Y Brown  
N Bulloch  
Y Butler  
Y Cagle  
N Carter  
N Chance  
N Chapman  
N Douglas  
Y Fort  
N Goggans  
E Golden  
N Grant  
N Hamrick  
Y Harbison  
N Harp  
N Heath  
Y Henson

N Hill,Jack  
N Hill,Judson  
Y Hooks  
N Hudgens  
N Johnson  
Y Jones  
E Kemp  
Y Me V Bremen  
Y Miles  
N Moody  
N Mullis  
N Pearson  
Y Powell  
Y Reed  
N Rogers  
N Schaefer  
N Seabaugh  
Y Seay  
N Shafer,D

N Smith  
E Starr  
N Staton  
N Stephens  
E Stoner  
Y Tarver  
Y Tate  
N Thomas,D  
Y Thomas,R  
E Thompson,C  
Y Thompson,S  
N Tolleson  
N Unterman  
N Weber  
N Whitehead  
N Wiles  
N Williams  
Y Zamarripa

On the adoption of the amendment, the yeas were 18, nays 32, and the Henson amendment #3 was lost.

Senators Zamarripa of the 36th, Tate of the 38th and Fort of the 39th offered the following amendment #4:

Amend SB 390 (LC 33 1086-EC) by inserting after “each school system;” on line 10 of page 2 the following “with less than 50,000 (fifty thousand) students”.

Senator Zamarripa of the 36th asked unanimous consent that his amendment #4 be withdrawn. The consent was granted, and the amendment was withdrawn.

Senators Zamarripa of the 36th and Tate of the 38th offered the following amendment #5:

Amend SB 390 (LC 33 1086-EC) by deleting after “Direct classroom expenditures;” on line 19 of page 1 “means all expenditures” and inserting “shall be defined by the State Board of Education and may include expenditures”...

On the adoption of the amendment, the President ordered a roll call, and the vote was as follows:

E Adelman	N Hill,Jack	N Smith
N Balfour	N Hill,Judson	E Starr
Y Brown	Y Hooks	N Staton
N Bulloch	N Hudgens	N Stephens
Y Butler	N Johnson	E Stoner
N Cagle	Y Jones	Y Tarver
N Carter	E Kemp	Y Tate
N Chance	Y Me V Bremen	N Thomas,D
N Chapman	Y Miles	Y Thomas,R
N Douglas	N Moody	E Thompson,C
Fort	N Mullis	N Thompson,S
N Goggans	N Pearson	N Tolleson
E Golden	Y Powell	N Unterman
N Grant	Y Reed	N Weber
N Hamrick	N Rogers	N Whitehead
Y Harbison	N Schaefer	N Wiles
N Harp	N Seabaugh	N Williams
N Heath	Y Seay	Y Zamarripa
Y Henson	N Shafer,D	

On the adoption of the amendment, the yeas were 15, nays 34, and the Zamarripa, Tate amendment #5 was lost.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

E Adelman	Y Hill,Jack	Y Smith
Y Balfour	Y Hill,Judson	E Starr
N Brown	N Hooks	Y Staton
Y Bulloch	Y Hudgens	Y Stephens
N Butler	Y Johnson	E Stoner
Y Cagle	N Jones	N Tarver
Y Carter	E Kemp	N Tate
Y Chance	N Me V Bremen	Y Thomas,D
Y Chapman	N Miles	N Thomas,R
Y Douglas	Y Moody	E Thompson,C
N Fort	Y Mullis	N Thompson,S
Y Goggans	Y Pearson	Y Tolleson
E Golden	N Powell	Y Unterman
Y Grant	N Reed	N Weber
Y Hamrick	Y Rogers	Y Whitehead
N Harbison	Y Schaefer	Y Wiles
Y Harp	Y Seabaugh	Y Williams
Y Heath	N Seay	N Zamarripa
N Henson	Y Shafer,D	

On the passage of the bill, the yeas were 32, nays 18.

SB 390, having received the requisite constitutional majority, was passed.

The following communication was received by the Secretary:

Senator Dan Weber  
District 40  
301-B Coverdell Legislative Office Building  
Atlanta, GA 30334

**Committees:**

Education and Youth  
Judiciary  
Natural Resources and the Environment  
State and Local Governmental Operations

The State Senate  
Atlanta, Georgia 30334

January 31, 2006

Mr. Frank Eldridge  
Secretary of the Senate  
Atlanta, Georgia 30334

Dear Mr. Eldridge:

While voting on Senate Bill 390, I inadvertently hit the "no" button when I meant to vote "yes." I am requesting that you make this change.

Thank you, and if you have any questions, please do not hesitate to call me.

Sincerely,

/s/ Daniel J. Weber

Senator Williams of the 19th moved that the Senate adjourn until 10:00 a.m. Wednesday, February 1, 2006.

The motion prevailed, and the President announced the Senate adjourned at 4:28 p.m.